

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7352

LEROY S. DOTSON, JR.,

Plaintiff - Appellant,

versus

TOMLIN FERGUSON, Former Plant Manager; RICKY
JOHNSON, Plant Manager; MARK ALLEN,
Superintendent; ROB OLSON, Matt Build
Supervisor,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CA-
03-1183-DKC)

Submitted: December 18, 2003

Decided: January 15, 2004

Before LUTTIG, SHEDD, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Leroy S. Dotson, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Leroy S. Dotson, Jr., seeks to appeal the district court's order dismissing his action brought pursuant to 42 U.S.C. § 1983 (2000). We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties in a civil action where the United States is not a party, are accorded thirty days after the entry of the district court's final judgment or order to note an appeal. Fed. R. App. P. 4(a)(1)(A). However, a court may extend the appeals period for fourteen days upon a party's timely motion to reopen the appeal period. Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corr., 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order reopening the time for Dotson to file a notice of appeal was entered on the docket on July 7, 2003, affording Dotson until July 21, 2003, to file a notice of appeal. Fed. R. App. P. 4(a)(6). However, Dotson's notice of appeal was dated August 20, 2003, and filed on August 21, 2003. Because Dotson failed to file a timely notice of appeal within the extended fourteen-day appeal period, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts

and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED